

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

In Re: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO:
(All Actions)

x

MDL NO. 1456

Master File No. 01-CV-12257-PBSO

Judge Patti B. Saris

x

1003 DEC 17 2003
U.S. DISTRICT COURT
MASS.
CLERK'S OFFICE
FILED OFFICE
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DEFENDANTS' NOTICE OF OPPOSITION TO
PLAINTIFFS' MOTION FOR A PROTECTIVE ORDER

Pursuant to Case Management Order No. 8, defendants hereby notify the Court of their opposition to plaintiffs' Motion for a Protective Order filed on December 3, 2003 (the "Motion"). Defendants further notify the Court of their intention to file a memorandum in opposition to plaintiffs' Motion on or before January 9, 2004, in accordance with the proposed briefing schedule set forth in the joint motion for a scheduling order filed by the parties today.

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| Dated: Boston, Massachusetts December 17, 2003 | Respectfully submitted, ON BEHALF OF DEFENDANTS |
| | By: <u>Nicholas C. Theodorou</u> Nicholas C. Theodorou (BBO # 496730) Lucy Fowler (BBO # 647929) FOLEY HOAG LLP 155 Seaport Blvd. Boston, Massachusetts 02210 Tel: (617) 832-1000 |
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CERTIFICATE OF SERVICE

I certify that on December 17, 2003, a true and correct copy of the foregoing Notice of Opposition was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

Lucy Fowler

Lucy Fowler